

ARKANSAS SUPREME COURT

PROCEEDINGS OF MARCH 11, 2021

JOHN DAN KEMP, CHIEF JUSTICE

[CR-11-331](#). Ricky R. Anderson v. Dexter Payne, Director, Arkansas Department of Correction, from Washington County Circuit Court. Petitioner's pro se motion to recall the mandate, petition for writ of habeas corpus, and motion for joinder of claims denied. Webb, J., concurs.

KAREN R. BAKER, JUSTICE

[CV-20-562](#). John Thurston, in His Official Capacity as Secretary of State; and Leslie Rutledge, in Her Official Capacity as Arkansas Attorney General v. Safe Surgery Arkansas, a Ballot Question Committee; and Dr. Laurie Barber, Individually and on Behalf of Safe Surgery Arkansas, from Pulaski County Circuit Court, Ninth Division. Affirmed.

COURTNEY RAE HUDSON, JUSTICE

[CV-20-78](#). Leroy Calhoun v. Area Agency on Aging of Southeast Arkansas, from the Arkansas Workers' Compensation Commission. Reversed and remanded; court of appeals opinion vacated. Wood, Womack, and Webb, JJ., dissent.

BARBARA W. WEBB, JUSTICE

[CR-19-824](#). Tara Kolb v. State of Arkansas, from Drew County Circuit Court. Affirmed; court of appeals' opinion vacated. Baker, J., concurs. Wynne, J., dissents.

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PER CURIAM ORDERS

CR-06-29. Justin Anderson v. State of Arkansas, from Miller County Circuit Court. Appellant's motion to take as a case is denied. Baker, Hudson, and Wynne, JJ., would grant.

CR-06-29. Justin Anderson v. State of Arkansas, from Miller County Circuit Court. Appellant's motion to recall the mandate is denied. Baker, Hudson, and Wynne, JJ., would take as a case.

CV-20-682. State of Arkansas *ex rel.* Leslie Rutledge, Attorney General v. Purdue Pharma L.P.; Purdue Pharma, Inc.; The Purdue Frederick Company, Inc.; Johnson & Johnson; Janssen Pharmaceutica, Inc., n/k/a Janssen Pharmaceuticals, Inc.; Ortho-McNeill-Janssen Pharmaceuticals, Inc., n/k/a Janssen Pharmaceuticals, Inc.; Endo Health Solutions, Inc.; Endo Pharmaceuticals, Inc.; and Does 1 through 100, Inclusive, from Pulaski County Circuit Court, Sixteenth Division. Sworn motion to permit Amy J. Laurendeau to appear and practice pro hac vice is granted.

CV-20-724. Kendrick Story v. State of Arkansas, from Lincoln County Circuit Court. Appellant's pro se motion to dismiss Justice Barbara W. Webb from participating with the Court treated as motion to recuse; denied by Justice Webb individually.

D-21-73. In Re Gary L. Bowen, Arkansas Bar No. 2005303, an Original Action. Petition of Gary L. Bowen, Arkansas Bar No. 2005303, for voluntary surrender of license (resignation) is granted.

D-21-75. In Re Randolph B. Hopkins, Arkansas Bar No. 77066, an Original Action. Petition of Randolph B. Hopkins, Arkansas Bar No. 77066, for voluntary surrender of license (resignation) is granted.

D-21-76. In Re Emma Jane Ohnemus, Arkansas Bar No. 85121, an Original Action. Petition of Emma Jane Ohnemus, Arkansas Bar No. 85121, for voluntary surrender of license (resignation) is granted.

CR-84-105. Patrick Wayne Fleming v. State of Arkansas, from Conway County Circuit Court. Petitioner's pro se petition for copy of transcript at public expense is denied.

CR-20-248. Alvinito Bluebird v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Appellee's motion to dismiss appeal is granted.

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PER CURIAM ORDERS

CR-20-423. Terrick Nooner v. State of Arkansas, from Saline County Circuit Court. Appellee's motion to dismiss appeal is granted.

CR-20-598. Michael Jenkins v. Wendy Kelley, Director, Arkansas Department of Correction; and Gleenover Knight, Records Supervisor, from Phillips County Circuit Court. Appellant's pro se motion for rule on clerk treated as motion to file a belated reply brief and granted.

CR-21-17. Sammie L. Thomas, Jr. v. State of Arkansas, from Faulkner County Circuit Court. Appellant's pro se motion for extension of time to file brief is granted.

CR-21-39. Tony Franklin Wilson v. State of Arkansas, from White County Circuit Court. Petitioner's pro se motion to lodge untimely appeal treated as motion for rule on clerk and denied.

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MOTIONS SUBMITTED

PETITION FOR REHEARING:

CR-04-18. DeLarron Washington v. State of Arkansas, from Union County Circuit Court.

CR-14-5. Stanley Carter v. State of Arkansas, from Crittenden County Circuit Court. Petitioner's pro se motion for reconsideration.

CR-19-981. Curtis Dorsey v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Motion of Craig Lambert for access to trial transcript.

CR-21-3. Terry Marshall, Jr. v. State of Arkansas, from Cleburne County Circuit Court. Appellant's unopposed petition for writ of certiorari to complete the record.

CR-21-22. Cameron Scott Halliburton v. State of Arkansas, from Miller County Circuit Court. Motion of Erin M. Keil to withdraw as counsel.

CR-21-43. Arkansas Parole Board; John Felts, John Belkin, Andy Shock, Dawn Benafield, Jerry Riley, Lona McCastlain, and Abraham Carpenter, Jr., in Their Official Capacities as Members of the Arkansas Parole Board; Arkansas Department of Correction; and Dexter Payne, in His Official Capacity v. Terrance Proctor, from Pulaski County Circuit Court, Fifth Division. Appellants' motion to supplement the record and for brief time.

CR-21-78. Demarcus Donnell Parker v. State of Arkansas, from Crittenden County Circuit Court. Appellant's petition for writ of certiorari to complete the record or, in the alternative, motion to remand to settle the record.

CV-20-542. Malik Muntaqim v. Wendy Kelley, Director, Arkansas Department of Correction, et al., from Hot Spring County Circuit Court. Petitioner's pro se motion for reconsideration.

CV-20-682. State of Arkansas *ex rel.* Leslie Rutledge, Attorney General v. Purdue Pharma L.P.; Purdue Pharma, Inc.; The Purdue Frederick Company, Inc.; Johnson & Johnson; Janssen Pharmaceutica, Inc., n/k/a Janssen Pharmaceuticals, Inc.; Ortho-McNeill-Janssen Pharmaceuticals, Inc., n/k/a Janssen Pharmaceuticals, Inc.; Endo Health Solutions, Inc.; Endo Pharmaceuticals, Inc.; and Does 1 through 100, Inclusive, from Pulaski County Circuit Court, Sixteenth Division. Appellees' motion for judicial notice of unpublished opinions cited by appellees.

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MOTIONS SUBMITTED

CV-20-728. K.B.X., Inc.; Steven Michael Keith, Sr., Individually; Steven Michael Keith, Jr., Individually; and Jeffrey Shay Sebree, Individually v. Zero Grade Farms, a Partnership, also d/b/a Isbell Farms; Mark Isbell, Individually; Chris Isbell, Individually; Shane Isbell, Individually; Judy Isbell, Individually; Jeremy Jones, Individually; K & K Farm Service, Inc., also d/b/a K & K Farm Services; Edward Schafer & Sons, a Partnership; Ronald Schafer and Roger Schafer, as Trustees of the Edward Burnard Schafer Q-TIP Trust; Ronald Schafer, Individually; Dee Anne Schafer, Individually; Clifford Schafer, Individually; Rachel Schaffer, Individually; Roger Schafer, Individually; Pamela Schafer, Individually; Donald Schafer, Individually; Donna Schafer, Individually; Gary Hardke Farms, a Partnership; Gary Hardke, Individually; Melodie Hardke, Individually; Bigfoot AG, Inc.; Agri-Petroleum Sales, LLC; Agribusiness Properties, LLC; Brinkley Truck Brokerage, LLC; Christopher Taylor, Individually; Dale Bartlett, Individually; Ivory Rice, LLC; Anna Hurst, Special Administrator of the Estate of Jason Coleman; LJTC, LLC; Turner Commodities, Inc.; Turner North, LLC; and Turner Grain, Inc., d/b/a Turner Grain, from Lonoke County Circuit Court. Motion of separate appellant K.B.X., Inc. for expansion of word-count limitations in brief.

CV-20-728. K.B.X., Inc.; Steven Michael Keith, Sr., Individually; Steven Michael Keith, Jr., Individually; and Jeffrey Shay Sebree, Individually v. Zero Grade Farms, a Partnership, also d/b/a Isbell Farms; Mark Isbell, Individually; Chris Isbell, Individually; Shane Isbell, Individually; Judy Isbell, Individually; Jeremy Jones, Individually; K & K Farm Service, Inc., also d/b/a K & K Farm Services; Edward Schafer & Sons, a Partnership; Ronald Schafer and Roger Schafer, as Trustees of the Edward Burnard Schafer Q-TIP Trust; Ronald Schafer, Individually; Dee Anne Schafer, Individually; Clifford Schafer, Individually; Rachel Schaffer, Individually; Roger Schafer, Individually; Pamela Schafer, Individually; Donald Schafer, Individually; Donna Schafer, Individually; Gary Hardke Farms, a Partnership; Gary Hardke, Individually; Melodie Hardke, Individually; Bigfoot AG, Inc.; Agri-Petroleum Sales, LLC; Agribusiness Properties, LLC; Brinkley Truck Brokerage, LLC; Christopher Taylor, Individually; Dale Bartlett, Individually; Ivory Rice, LLC; Anna Hurst, Special Administrator of the Estate of Jason Coleman; LJTC, LLC; Turner Commodities, Inc.; Turner North, LLC; and Turner Grain, Inc., d/b/a Turner Grain, from Lonoke County Circuit Court. Motion of separate appellants Steven Michael Keith, Sr., Steven Michael Keith, Jr., and Jeffrey Shay Sebree for expansion of word-count limitations.

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CASES SUBMITTED

CV-20-421. Sherry Tomey, Guardian of the Estate of Novalene Kent, a Minor v. Southern Farm Bureau Casualty Insurance Company; Regina Mobley; and John Does 1–5, an Original Action. Orally argued.

CR-20-106. Shawn Collins v. State of Arkansas, from White County Circuit Court.

CR-20-597. Emmitt Riley v. State of Arkansas, from Drew County Circuit Court.

CV-19-625. Charles Symanietz v. Deborah Symanietz, from Benton County Circuit Court.

Opinions are available on the internet at

<http://arcourts.gov>